

Governance and Implementation Structure

A draft final FMA has been prepared that defines the means of governance and implementation of the LCR MSCP. The draft final FMA is attached as Exhibit A to this Final HCP. The final form and execution of the FMA by each non-federal party is subject to the approval and authorization of the governing body of that party. This chapter provides a summary of the proposed LCR MSCP governance and implementation structure. However, the final FMA will be the controlling document relating to the governance and implementation of the LCR MSCP and must be referred to for those requirements. The purpose of the FMA is to:

- Provide for the management and implementation of the LCR MSCP;
- Set forth the Federal and non-Federal cost share; and
- Provide for contributions to the LCR MSCP.

Reclamation will, as described in the FMA, manage and implement the LCR MSCP Conservation Plan, the terms and conditions of the LCR MSCP section 10(a)(1)(B) permit, and the reasonable and prudent measures of the section 7 BO. Reclamation will employ a Program Manager responsible for administering and implementing the LCR MSCP, with an office located in Arizona, California or Nevada. The duties of the Program Manager include:

- Administering and implementing the LCR MSCP in a manner that complies with the requirements of the ESA, other applicable Federal and state laws, and the LCR MSCP documents;
- Directing the preparation of schedules and cost estimates for implementation of the LCR MSCP, and an annual implementation work plan and budget, and periodic contribution payment schedules;
- Establishing accounts, as necessary and appropriate, for the administration of funds from any participant or contributor to the LCR MSCP; and
- Review, discuss with, and seek to reach consensus among members of the LCR MSCP Steering Committee.

The FMA establishes a LCR MSCP Steering Committee, whose members are divided into seven participant groups: Federal, Arizona, California, Nevada, Native American, Conservation, and Other Interested Parties. The FMA provides a process for additional members to join the Steering Committee. Reclamation and the Program Manager will cooperate with and coordinate management and implementation activities with the

Steering Committee. Meetings of the Steering Committee will be open to the public. The role of the Steering Committee includes:

- Coordinating implementation of the LCR MSCP with the Program Manager;
- Creating standing or ad hoc subcommittees or work groups as necessary to carry out its responsibilities;
- Reviewing matters presented to it by the Program Manager; and
- Appointing members to represent the interests of Permittees in any consultation, conference, re-initiation of consultation, or other process that may affect the implementation of the LCR MSCP.

Each the year during the term of the LCR MSCP, the Program Manager will develop and present to the Steering Committee an implementation report, work plan, and budget that include:

- A financial report;
- A description of all conservation measures initiated, continued, or completed during the previous year;
- A description of all conservation measures intended to be initiated or continued during the next 3-year period;
- The purpose for, and cost estimate of, all conservation measures intended to be initiated or continued during the next 3-year period;
- A tabulation and description of all conservation measures that have been completed from the commencement of the LCR MSCP to the date of the report;
- A tabulation of the habitat created or restored by the LCR MSCP;
- A description of any take known to have occurred during the previous year;
- All findings, conclusions, and results of monitoring, research, or conservation measures undertaken during the previous year;
- Any recommendation made by the USFWS or any state wildlife agency regarding the LCR MSCP;
- A listing of any incidental take authorizations issued pursuant to the LCR MSCP during the previous year; and
- The approval or rejection of any minor modifications or amendments to the LCR MSCP, or any LCR MSCP documents.

The Program Manager will submit the annual implementation report, work plan, and budget to the Service for its review and determination regarding the consistency of the past, current, and future implementation plans with the LCR MSCP, the section 10(a)(1)(B) permit, and the section 7 BO.